



City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

February 23, 2016

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Zoning Text Amendment Permit, by special exception, any one use listed in Table 4-A or Table 6-A of the *Zoning Ordinance* in a building which has been designated as a Norfolk Historic Landmark under Chapter 9 of the *Zoning Ordinance*, even when the use does not appear on the use table for the zoning district in which the building is located.**

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: Citywide

Approved:

Marcus D. Jones, City Manager

Item Number:

PH-3

- **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommended **Approval**.
- **Request:** This request proposes to allow more flexibility of use for structures designated as Norfolk Historic Landmarks.
- **Applicant:** City Planning Commission
- **Description:**
 - The use of historic structures in the City are limited to the uses for which they are currently being and to those uses permitted in the zoning district in which they are located.
 - To provide additional flexibility and enhance the adaptive reuse potential of these structures, the proposed amendment would allow them to be used for additional uses.
 - The amendment proposes to allow any structure, not located in any historic district or historic overlay district that is designated as a Norfolk Historic Landmark under the terms of Section 9.2.3 of the *Zoning Ordinance*, to be used for any use listed in the Table of Uses in the residential or commercial districts.
 - To ensure that the use is compatible with adjacent uses, a special exception would be required.
 - In 2014, the Historic and Cultural Conservation and Historic Landmarks Chapter to the *Zoning Ordinance* was amended to allow for the creation of a Norfolk Historic Landmark.
 - An applicant can submit an application to the Architectural Review Board (ARB) to request that a structure or structures be designated as such.

- Staff shall prepared a report and based on the report and other criteria set forth in the *Zoning Ordinance*, a recommendation will be made to the Planning Commission.
- A public hearing will be held by both the Planning Commission and City Council.
- Approval of the request by City Council will deem the structure(s) a Historic Landmark.
- This provision was a priority of the 2011 Historic and Architectural Preservation Commission report to enhance the ability to preserve and reuse historic building in Norfolk.

Staff point of contact: Susan Pollock at 664-4765, susan.pollock@norfolk.gov

Attachments:

- Staff Report to CPC dated January 28, 2015 with attachments
- Proponents and Opponents
- Ordinance

Planning Commission Public Hearing: January 28, 2016

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Susan Pollock Hart, CFM

Staff Report	Item No. C-1	
Applicant	City Planning Commission	
Request	Zoning Text Amendment	Permit, by special exception, any one use listed in Table 4-A or Table 6-A of the <i>Zoning Ordinance</i> in a building which has been designated as a Norfolk Historic Landmark under Chapter 9 of the <i>Zoning Ordinance</i> , even when the use does not appear on the use table for the zoning district in which the building is located.

A. Summary of Request

- Norfolk is a historic City with many structures designated or eligible for Historic Landmark designation.
- To maintain the history of Norfolk and the quality of our historic heritage this amendment proposes to provide flexibility in the adaptive reuse of these historic structures.

B. Plan Consistency

- The Preserving Our Heritage chapter of *plaNorfolk2030* includes an outcome calling for the protection of an increased number of historic resources, including structures.
 - Since the proposed changes to the *Zoning Ordinance* would provide additional opportunities for preserving historic structures, they are consistent with the recommendations of that outcome.
- The Historic and Architectural Preservation Commission identified as one of its priorities a process to help preserve historic structures through adaptive reuse options; this amendment would fulfill that recommendation.

C. Zoning Analysis

- The use of historic structures in the City are limited to the uses for which they are currently being and to those uses permitted in the zoning district in which they are located.
- To provide additional flexibility and enhance the future of these structures, the proposed amendment would allow them to be used for additional uses.
- The amendment proposes to allow any structure, not located in any historic district or historic overlay district, that is designated as a Norfolk Historic Landmark under the

terms of Section 9.2.3 of the *Zoning Ordinance*, to be used for any use listed in the Table of Uses in the residential or commercial districts.

- To ensure that the use is compatible with adjacent uses, a special exception would be required.
- In 2014, the Historic and Cultural Conservation and Historic Landmarks Chapter to the *Zoning Ordinance* was amended to allow for the creation of a Norfolk Historic Landmark.
 - An applicant can submit an application to the Architectural Review Board (ARB) to request that a structure or structures be designated as such.
 - Staff shall prepared a report and based on the report and other criteria set forth in the *Zoning Ordinance*, a recommendation will be made to the Planning Commission.
 - A public hearing will be held by both the Planning Commission and City Council.
 - Approval of the request by City Council will deem the structure(s) a Historic Landmark.

D. Transportation Impacts

N/A

E. Historic Resources Impacts

The amendment will provide flexibility in the reuse of historic structures located throughout the City not already located within a historic district.

F. Public Schools Impacts

This amendment could allow the adaptive reuse of some older City schools not currently needed or in use.

G. Environmental Impacts

The proposed amendment would enhance the viability and potentially prolong the life of historic structures in the City.

H. Surrounding Area/Site Impacts

The proposed amendment would help to preserve historic structures that are an integral part of many commercial or residential neighborhoods.

I. Payment of Taxes

N/A

J. Civic League

N/A

K. Communication Outreach/Notification

Legal notification was placed in *The Virginian-Pilot* on November 26 and December 3.

L. Recommendation

Staff recommends that the text amendment request be **approved**.

Attachments:

Proposed text


Proponents and Opponents

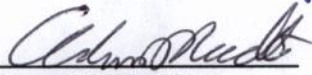
Proponents


None

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND SECTION 9-2.3 OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO PERMIT, BY SPECIAL EXCEPTION, ANY ONE USE LISTED IN TABLE 4-A OR TABLE 6-A OF THE ZONING ORDINANCE IN A BUILDING WHICH HAS BEEN DESIGNATED AS A NORFOLK HISTORIC LANDMARK.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That section 9-2.3 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) is hereby amended so as to permit, by special exception only, any one use listed in Table 4-A, entitled "Table of Land Uses - Residential Districts," or Table 6-A, entitled "Commercial Districts - Table of Land Uses," of said Zoning Ordinance in a building that has been designated as a Norfolk Historic Landmark in accordance with the procedures set forth in Chapter 9 of said Zoning Ordinance, even when the use does not appear on the use table for the zoning district in which the building is located. The change shall be made to subsection 9-2.3(f) and the text shall read as set forth in "Exhibit A," attached hereto.

Section 2:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (1 page)

Exhibit A

9-2 Designation of historic districts, structures or landmarks.

...

9-2.3 *Process for designation of structures and landmarks.* Any building, structure, or site which is at least fifty (50) years old may be designated as a Norfolk Historic Landmark if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the City of Norfolk or its surrounds.

...

- (f) *Other regulations.* Any building or structure designated as a Norfolk Historic Landmark and which is not located in any local historic (HC) district nor in any historic overlay (HO) district may be eligible for certain benefits or permissions that might not otherwise be available, including all of the following:
- (1) Compliance with building code requirements may be achieved through application of the provisions of the International Existing Building Code provisions of the Virginia Rehabilitation Code, part II of the Virginia Uniform Statewide Building Code.
 - (2) A building or structure that is nonconforming or which serves or houses a nonconforming use may use special provisions set forth in Chapter 12 of this ordinance.
 - (3) Required off-street parking requirements may be reduced as set forth in Chapter 15 of this ordinance.
 - (4) Notwithstanding any limitation set forth in Article 2 of this ordinance, entitled "Specific district regulations," any one use listed in either Table 4-A or Table 6-A of this ordinance may be permitted in a building designated as a Norfolk Historic Landmark if approved by a special exception granted in accordance with the process set forth in Chapter 25.